UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

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MV PUBLIC TRANSPORTATION, INC. :

and : Case Nos. 29-CA-29530

29-CA-29760

JOHN D. RUSSELL, AN INDIVIDUAL :

and : Case No. 29-CA-29544

LOCAL 1181-1061, AMALGAMATED :

TRANSIT UNION, AFL-CIO

and : Case No. 29-CA-29619

ERIC BAUMWOLL, AN INDIVIDUAL

and

LOCAL 707, INTERNATIONAL BROTHERHOOD OF TEAMSTERS,

Party to the Contract

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LOCAL 707, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

:

and : Case No. 29-CB-13981

JOHN D. RUSSELL, AN INDIVIDUAL :

:

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CROSS-EXCEPTIONS OF CHARGING PARTY LOCAL 1181-1061, AMALGAMATED TRANSIT UNION, AFL-CIO TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

Pursuant to Section 102.46 of the National Labor Relations
Board's Rules and Regulations, Charging Party Local 1181-1061,
Amalgamated Transit Union, AFL-CIO ("Local 1181"), hereby

submits Cross-Exceptions to the Decision of Administrative Law Judge Michael A. Rosas ("the ALJ").

Exception 1: The ALJ erred by failing to find that

Respondent MV Public Transportation, Inc. ("MVPT") recognized

Local 707, International Brotherhood of Teamsters ("Local 707")

as the exclusive bargaining representative of MVPT's drivers,

mechanics, and utility workers in September 2008. (ALJ Decision

("ALJD") pp. 8-9)

Exception 2: The ALJ erred by failing to find that MVPT did not employ a representative complement of employees at the time of recognition because MVPT at that time employed employees in, at most, one of three bargaining unit positions. (ALJD p. 14, 1. 9-35)

Exception 3: The ALJ erred in finding that October 5, 2008
would be an appropriate accrual date for purposes of Section
10(b). (ALJD p. 19, 1. 22-23)

Exception 4: The ALJ erred to the extent he found that MVPT only provides services in Staten Island or to passengers on Staten Island. (ALJD p. 4, 1. 1, 12-13, 45, p. 16, 1. 11)

Dated: New York, New York August 11, 2010 Respectfully submitted,

Bv:

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